

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

FEB 3 1975

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed FEB 10 1975 Map filed FEB 10 1975 under 29190

The applicant James Bert Benton Estate

Rte. 1 of Perryton

Street and No. or P.O. Box No. City or Town
Texas 79070

State and Zip Code No. hereby make^s application for permission to change the
point of diversion

of water heretofore appropriated under 24417 Cert. 6927

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground

Name of stream, lake or other source.

2. The amount of water to be changed 1.09 cfs 561.98 ac/ft

Second feet, acre feet.

3. The water to be used for irrigation and domestic

If for stock state number and kind of animals.

4. The water heretofore used for irrigation and domestic

If for stock state number and kind of animals.

5. The water is to be diverted at the following point NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T.26N., R.43E.

MDB&M; or a point from which the West $\frac{1}{4}$ corner of said Sec. 31

Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
bears N. 45° W. 141 ft.

stated.

6. The existing point of diversion is located within SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, T.26N., R.43E.

MDB&M; or a point from which the NW corner of Sec. 6, T.25N., R.43E.

If point of diversion is not changed, do not answer.

bears S. 86° 39' W. 1620.7 ft.

7. Proposed place of use 156.3 acres as follows: 80 acres N $\frac{1}{2}$ SE $\frac{1}{4}$, 36.1 acres

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

SW $\frac{1}{4}$ SE $\frac{1}{4}$, 36.1 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$, 4.1 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ all in Sec. 31, T.26N.,

R.43E. MDB&M

8. Existing place of use same

Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

9. Use will be from March 1 to Nov. 15 of each year.

Day and Month

Day and Month

10. Use has been from March 1 to Nov. 15 of each year.

Day and Month

Day and Month

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) well, pump, motor and irrigation

State manner in which water is to be diverted, whether by dam or other works,

system

whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$12,000
13. Estimated time required to construct works.....2 years
14. Estimated time required to complete the application of water to beneficial use.....5 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared bs/jw lk/ns Applicant James Bert Benton Estate
By s/ J. R. Caldwell
260 Minor St.
Winnemucca, Nv 89445

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 24417 is issued subject to the terms and conditions imposed in said Permit 24417 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.09 cubic feet per second, but not to exceed a seasonal duty of 561.98 acre-feet.

Actual construction work shall begin on or before.....January 14, 1976

Proof of commencement of work shall be filed before.....February 14, 1976

Work must be prosecuted with reasonable diligence and be completed on or before.....January 14, 1977

Proof of completion of work shall be filed before.....February 14, 1977

Application of water to beneficial use shall be made on or before.....January 14, 1978

Proof of the application of water to beneficial use shall be filed on or before.....February 14, 1978

Map in support of proof of beneficial use shall be filed on or before.....February 14, 1978

Commencement of work filed.....IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD,
Completion of work filed.....State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed.....my office, this 14th day of July,
Cultural map filed.....

Certificate No. MAR 25 1976 A.D. 19 75
Recorded 2407 Bk. Page State Engineer